

Message Text

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PAGE 01 MADRID 01639 031608Z
ACTION L-03

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FM AMEMBASSY MADRID
TO SECSTATE WASHDC 9197

UNCLAS MADRID 1639

E.O. 11652: N/A
TAGS: PFOR,LGEN,SP
SUBJECT: 1976 TREATY, SCIENCE AND TECHNOLOGY: OBLIGATION OF FUNDS.

1. THE NEED TO OBLIGATE TREATY FUNDS BEFORE THE END OF THE FISCAL YEAR IMPOSES POTENTIALLY SERIOUS TIME CONSTRAINTS ON THE OPERATION OF THE JOINT COMMITTEE FOR S&T COOPERATION.
2. THE U.S. SIDE OF THE JOINT COMMITTEE FOR EDUCATIONAL AND CULTURAL COOPERATION RECENTLY PREPARED AN INSTRUMENT OF OBLIGATION WHICH WILL, ON ACCEPTANCE BY THE SPANISH SIDE, SOLVE A SIMILAR PROBLEM BY OBLIGATING ALL FY77 FUNDS FOR THAT COMMITTEE IN ONE SIMPLE STEP.
3. WE BELIEVE THIS APPROACH OFFERS USEFUL INSURANCE AGAINST POSSIBLE DELAY OR FAILURE TO OBLIGATE FULLY FY77 TREATY S&T FUNDS BY SEPTEMBER 30.
4. WE HAVE MODIFIED THE DRAFT E&C INSTRUMENT TO SERVE FOR S&T (AS FOLLOWS) AND REQUEST DEPT'S CONSIDERATION OF IT. WE BELIEVE IT WOULD BE APPROPRIATE TO SUBMIT THE APPROVED DRAFT TO THE SPANISH SIDE FOR REVIEW PRIOR TO NEXT JOINT COMMITTEE MEETING, AT WHICH TIME IT MIGHT BE SIGNED BY THE TWO CO-CHAIRMEN.
5. BEGIN TEXT OF INSTRUMENT OF OBLIGATION:
UNDERSTANDING BETWEEN THE UNITED STATES AND SPANISH
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SIDES OF THE JOINT COMMITTEE FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION.
I. PURSUANT TO THE EXCHANGE OF NOTES OF JANUARY 24, 1976, THE U.S. GOVERNMENT HEREBY GRANTS THE SUM OF \$4,600,000 UNITED STATES DOLLARS TO FACILITATE SCIENTIFIC AND TECHNOLOGICAL COOPERATION BETWEEN THE U.S. AND SPAIN IN ACCORDANCE WITH SUPPLEMENTARY AGREEMENT 3 OF THE TREATY OF

FRIENDSHIP AND COOPERATION WHICH ENTERED INTO FORCE ON
SEPTEMBER 21, 1976. FUNDS PROVIDED HEREUNDER SHALL BE UTILIZED
TO FINANCE THE COSTS OF THE FOLLOWING ACTIVITIES IN THE PROGRAM:

- A) COOPERATIVE RESEARCH PROGRAMS BETWEEN U.S. AND
SPANISH AGENCIES AND INSTITUTIONS, TO INCLUDE PAYMENT
OF COSTS FOR EACH SIDE CONNECTED WITH THE PROGRAM,
PROCUREMENT OF U.S. EQUIPMENT FOR SPANISH RESEARCH
CENTERS, AND THE EXCHANGES OF SPANISH AND U.S.
INVESTIGATORS TO CONSULT OR WORK IN EACH OTHER'S
COUNTRIES.
- B) THE STRENGTHENING OF ON-GOING RESEARCH PROGRAMS
OF INTEREST TO THE U.S. IN SPANISH AGENCIES OR
INSTITUTIONS.
- C) PROGRAM MANAGEMENT, COORDINATION AND DEVELOPMENT,
INCLUDING ADMINISTRATIVE EXPENSES OF THE JOINT COMMITTEE,
AND TRAVEL.

II. IT SHALL BE NOTED THAT THE PROGRAM SHALL BE
ADMINISTERED ACCORDING TO THE TREATY AND THE RELEVANT
SUPPLEMENTARY DOCUMENTS APPENDED TO IT, PROCEDURES FOR
SUCH IMPLEMENTATION OF THE TREATY HAVING BEEN AGREED
UPON.

III. PRIOR TO ANY DISBURSEMENTS UNDER THE GRANT,
EVIDENCE SHALL BE PROVIDED THAT THE PARTICULAR ACTIVITY
TO BE FINANCED HAS BEEN APPROVED BY THE JOINT COMMITTEE
IN ACCORDANCE WITH THE PROCEDURAL GUIDELINES ADOPTED.
DISBURSEMENTS OF FUNDS MAY BE MADE BY SUCH MEANS AS THE
TWO SIDES MAY AGREE UPON IN WRITING. THESE MEANS MAY
INCLUDE, BUT ARE NOT LIMITED TO, PAYMENT TO AGENCIES
COOPERATING WITH THE PROGRAM, REIMBURSEMENTS AND CASH
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ADVANCES AGAINST APPROVED ACTIVITIES.

IV. FUNDS WILL BE DISBURSED WITHIN THREE YEARS OF THE
EFFECTIVE DATE OF THIS DOCUMENT. FUNDS NOT DISBURSED
BY THAT DATE WILL BE RETURNED TO THE U.S. DEPARTMENT
OF STATE.

V. EXCEPT AS THE DEPARTMENT MAY OTHERWISE AGREE IN
WRITING, DISBURSEMENTS MADE PURSUANT TO ARTICLE I SHALL
BE USED EXCLUSIVELY TO FINANCE THE PROCUREMENT OF
COMMODITIES OR SERVICES HAVING BOTH THEIR SOURCE AND
ORIGIN IN THE UNITED STATES OR SPAIN.
END TEXT OF INSTRUMENT OF OBLIGATION.EATON

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Message Attributes

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